

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

MICHAEL NIEVES,

Plaintiff,

-against-

LAURA WARD – SUPREME COURT
JUSTICE,

Defendant.

22-CV-1861 (LTS)

ORDER OF DISMISSAL

LAURA TAYLOR SWAIN, Chief United States District Judge:

Plaintiff, who is currently held in the Bellevue Hospital Prison Ward, brings this action *pro se*. Plaintiff has previously filed with this court an identical complaint against the same defendant. The Court dismissed that action on March 3, 2022, the same day Plaintiff filed this identical complaint. *See Nieves v. Ward*, ECF 1: 22-CV-1382, 5 (S.D.N.Y. Mar. 3, 2022). Because the present complaint raises the same claims, no useful purpose would be served by litigating this duplicative action. The Court therefore dismisses this action without prejudice.

CONCLUSION

The Court dismisses this action without prejudice as duplicative of Plaintiff's case under docket number 22-CV-1382 (LTS). All other pending matters in this case are terminated.

The Court certifies under 28 U.S.C. § 1915(a)(3) that any appeal from this order would not be taken in good faith and therefore *in forma pauperis* status is denied for the purpose of an appeal. *See Coppedge v. United States*, 369 U.S. 438, 444-45 (1962).

SO ORDERED.

Dated: April 19, 2022
New York, New York

/s/ Laura Taylor Swain

LAURA TAYLOR SWAIN
Chief United States District Judge